

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

MICHAEL TERRENCE GROSSE,	)	CASE NO. 1:06 CV 2497
	)	
Plaintiff,	)	JUDGE KATHLEEN M. O'MALLEY
	)	
v.	)	
	)	<u>MEMORANDUM OF OPINION</u>
SUPREME COURT OF OHIO,	)	<u>AND ORDER</u>
	)	
Defendant.	)	

On October 17, 2006, plaintiff pro se Michael Terrence Grosse, an inmate at the Mansfield Correctional Institution, filed this "Complaint for a Writ of Prohibition" against the Supreme Court of Ohio. An Amended Complaint with brief, filed October 23, 2006, asserts that the Ohio Supreme Court "violated Art. II §1. of the Ohio Constitution by changing the meaning of Ohio Revised Code § 2949.14." For the reasons stated below, this action is dismissed.

A district court is expressly required to dismiss any civil action filed by a prisoner seeking relief from a governmental officer or entity, as soon as possible after docketing, if the court concludes that the complaint fails to state a claim upon which relief may be granted, or if the plaintiff seeks monetary

relief from a defendant who is immune from such relief. 28 U.S.C. §1915A; Siller v. Dean, No. 99-5323, 2000 WL 145167 , at \*2 (6th Cir. Feb. 1, 2000)

Principles requiring generous construction of pro se pleadings are not without limits. Beaudett v. City of Hampton, 775 F.2d 1274, 1277 (4th Cir. 1985). Even liberally construed, the amended complaint does not set forth allegations suggesting a proper basis for this court's jurisdiction, as no federal question is implicated and no there is no indication of diversity of citizenship.

Accordingly, this action is dismissed under section 1915A. Further, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

s/ Kathleen M. O'Malley  
KATHLEEN M. O'MALLEY  
UNITED STATES DISTRICT JUDGE

DATED: December 12, 2006